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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/928,872	08/13/2001	Richard Kolesnick	6923-106	8412
20583	7590	11/04/2003		
PENNIE AND EDMONDS 1155 AVENUE OF THE AMERICAS NEW YORK, NY 100362711			EXAMINER HUYNH, PHUONG N	
			ART UNIT	PAPER NUMBER
			1644	

DATE MAILED: 11/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary	Application No.	Applicant(s)	
	09/928,872	KOLESNICK ET AL.	
	Examiner	Art Unit	
	Phuong Huynh	1644	

All participants (applicant, applicant's representative, PTO personnel):

(1) Phuong Huynh.

(3) Hernry Wu.

(2) Christina Chan.

(4) Steve Sullivan.

Date of Interview: 10/27/03; 10/28/03.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.
If Yes, brief description: _____.

Claim(s) discussed: 1-3,5,7 and 9-13.

Identification of prior art discussed: _____.

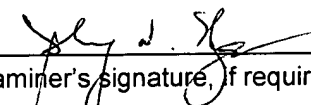
Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant must amend the claims to overcome the 112 second paragraph since it is not clear if "the cell" is the same ASA deficient cell in claims 1b, 2b, and 5(b). Further, it is not clear how exposing "the cell", assuming it is the ASA deficient cell, to a chemtherapeutic agent for a time sufficient time to induce apoptosis in "a cell" exhibiting normal acid sphingomyelinase activity, assuming it is a cell other than ASA deficient cell (claim 1(b) and (c). The Examiner will reconsider the 103(a) rejections in light of the amendment to the claims and the references cited by the Examiner and the two references cited on 1449 filed 12/9/02 .